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The United States Olympic Committee and
the International Olympic Committee

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

The United States Olympic
Committee and the International
Olympic Committee,

Plaintiffs,

v.

Xclusive Leisure & Hospitality Ltd.;
Beijingticketing.com; 2008-
olympics.com;
Beijingolympic2008tickets.com;
Beijingolympictickets2008.com;
Olympic-tickets.net;
Olympicticketsbeijing2008.com;
Does 1-10, inclusive,

Defendants.

Case No. C 08-03514 JSW

**PLAINTIFFS' *EX PARTE* MOTION
FOR LEAVE TO SERVE BY
ALTERNATIVE MEANS**

Date: August 22, 2008
Time: 9:00 a.m.
Judge: Hon. Jeffrey S. White

1 Plaintiffs, the United States Olympic Committee (“USOC”) and the
2 International Olympic Committee (“IOC”), hereby move the Court for permission
3 to serve Defendants, who were doing business as XLH and operating the websites
4 at olympic-tickets.net, beijingticketing.com, beijingolympic2008tickets.com,
5 beijingolympictickets2008.com, olympicticketsbeijing2008.com, and 2008-
6 Olympics.com, via email. In response to various subpoenas served on Defendants’
7 web hosting company and registrar, Plaintiffs have obtained conflicting information
8 about the physical addresses for Defendants. In contrast, Plaintiffs have
9 successfully transmitted documents in connection with this litigation via the web
10 addresses of bulkregisterdomains.gmail.com and beijingticketing.googlemail.com.
11 And, the company that hosts the websites has successfully communicated with
12 Defendants via the web address Mohammad.Irfan@gmail.com. As more fully
13 explained in the Memorandum of Points and Authorities filed contemporaneously
14 herewith, Plaintiffs respectfully suggest that it is appropriate for the Court to allow
15 Plaintiffs to continue to serve Defendants via email.

16 Dated: August 19, 2008
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18 **O’MELVENY & MYERS, LLP**

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20 By: /s/ Diana M. Torres
21 Diana M. Torres

22 Attorneys for Plaintiffs
23 The United States Olympic Committee and
24 the International Olympic Committee
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